

714 & 142

THE  
HISTORY  
OF  
PLACE-BILLS.  
IN A  
DIALOGUE  
BETWEEN THE  
*Foreman* of a Grand Jury  
AND A  
MEMBER of PARLIAMENT.

---

*Tu, mihi qui imperitas, aliis servis miser, atq;  
Duceris, ut nervis alienis mobile lignum.*

HOR.



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T H E  
H I S T O R Y  
O F  
P L A C E - B I L L S , &c.

**A**T the last Assizes, for the County of S. the Grand Jury being composed of Gentlemen, who were formerly called **TORIES**, but have lately honour'd themselves with another Name of Distinction, unanimously resolved to subscribe a Paper of Instructions, which one of the Company pulled out of his Pocket, and recommended, as containing the very Quintessence of Patriotism, extracted from all the Instructions for a Place-bill, before published. From the Record in the *London-Evening Post*, I have transcribed this Copy :

*To Sir A. O. and T. S. Esq; Representatives  
in Parliament for the County of S.*

GENTLEMEN,

“ **W**E the Grand Jury for the County of S.  
“ being impanell'd for this Purpose,  
“ take the Liberty to present you with a Paper  
“ of

“ of Instructions, deliver’d to us by Persons, in  
 “ whose Judgments we can confide. As the  
 “ Sheriff has made us the proper Representa-  
 “ tives of this County, out of Parliament;  
 “ we insist upon your voting, in Parliament,  
 “ as we are advised to direct. A Bill, for  
 “ reducing the Number of Place-men in the  
 “ House of Commons, has unhappily been  
 “ rejected in that House, by a Majority, con-  
 “ sisting, as we are told, of Place-men. But  
 “ if you will use your utmost Endeavours to  
 “ obtain such a Bill, in the next Session, we  
 “ doubt not of Success. We require you to  
 “ disclaim the Liberty of thinking for your-  
 “ selves: And if you should presume to listen  
 “ to any plausible Arguments, which may be  
 “ urged against the Bill, and should happen,  
 “ unwarily, to be convinced by them; we  
 “ assure you, it is your Duty to give your Suf-  
 “ frages for the Bill, even against your Opi-  
 “ nion: \* A Bill always absolutely necessary,  
 “ but more necessary now, when the General  
 “ Election approaches. For though we, and  
 “ the rest of the Electors, may then, and at  
 “ all times afterwards, exclude every Place-  
 “ man, if we think fit, from sitting in Parlia-  
 “ ment; yet we cannot trust ourselves any  
 “ longer with the Choice of our own Repre-  
 “ sentatives; and command you, therefore,  
 “ to restrain us, by a Law, from electing any  
 “ Gentleman, whom the King shall employ

\* *Vid.* Collection of Instructions.



“ in his Service ; since the Interest of the  
 “ Crown and People is, and ought to be,  
 “ inconsistent, and the only Means to pre-  
 “ serve our ancient Constitution, is thus to  
 “ alter the Frame of it.”

MR. S. one of the Members instructed, was present at this Assembly ; and, taking the Instructions for a Compliment, aimed at something like a Speech of Thanks for the Honour his Friends had done him. Sir *A. O.* his Colleague, who is not ashamed to be called a *Whig*, being absent, Sir *T. G.* the Foreman, was deputed to serve the Instructions upon him at his House ; to which a Fit of the Gout had confined him. Sir *T. G.* who found Sir *A. O.* in his Library, surrounded with Books, having deliver'd his Message, and being seated, Sir *A. O.* read the Paper with as serious a Look as he could counterfeit. “ But am I bound,” said he, “ by these Instructions ? ” “ Yes, “ surely,” answered the Foreman.

Sir *A. O.* I HAD the Honour to be elected a Knight of this Shire, chiefly by the Assistance of Gentlemen, whose Names I do not see subscribed. And I do not doubt of being re-elected, by the same Interest, though I should again be opposed by the Subscribers. I own, Sir *T. G.* I should think myself obliged to pay a greater Deference to this Request, if it came from the Majority of my Constituents. But by what Right, give me Leave to ask, do you and your Brethren of the Grand Jury,

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who

who never voted with me, or for me, insist upon my voting as you advise? My Electors, I am sure, (they, who have not subscribed this Paper) would not have made me their Representative, if they had not judged me qualified to think for myself, and honest enough to vote, as I think. And it was said, in the last Session, by a Member of the House of Commons, who represents a great City, (one whose Zeal for the Country Interest you will not dispute) " That he did not regard Instructions." And another Member (whose uniform Conduct in Parliament, though I differ with him in Principles, convinces me of his Sincerity) confessed, " That when the Constituents have delegated their Power, they cannot, by their Remonstrances, or popular Clamour, controul the Actions of their Representatives." And he added, " That he had seen some Instructions, too harsh to be offer'd by Electors to Persons whom they had elected; and that, though the People have a Right to represent their Grievances, and 'tis the Duty of the Parliament to redress Grievances; yet, if the House of Commons should be govern'd by Instructions, they would declare themselves an useless and insignificant Assembly." What? if I should have the Vanity to think myself a better Judge of this Question, than any of my Electors, who have not heard in a Debate, as I have done, all that can well be said for or against it. Have you seen this Place Bill?

*Foreman.*



*Foreman.* No.

*Sir A. O.* NOR I, neither.

*Foreman.* YOU surprise me.

*Sir A. O.* I HAVE heard it indeed from the Mouth of the Gentleman, who proposed it. But it is too much like an Oracle, I suppose, to be committed to Writing. You may as well pen a Whisper as a Blank. The material Part of the Bill is a mere Blank.

*Foreman.* THAT, I imagine, is agreeable to the Forms of your House.

*Sir A. O.* I DO not pretend to be versed in Forms. But I think, that such a Blank is contrary to Form: And, I am sure, it is contrary to Reason. The Bill, tho' not designed to exclude all Place-men, begins with an Exclusion, of all, except——— And then follows a Blank, capacious enough to contain a greater Number of Officers, than some Advocates for a Place-bill are willing to admit. The Mob is taught to cry, "No Place-men!" by the Candidates for Places. If Place-men, as such, are unfit to serve in Parliament, why are any admitted? If Place-men may safely be admitted, why are any excluded? Few Arguments, I believe, can be invented for reducing, as it is called, the Number of Place-men in the House of Commons, that may not be urged for excluding all. But to exclude all Place-men, *would be preposterous*, as was said by a Gentleman, who spoke in the last Session for the Bill, and having, as he own'd, an Employment himself, contended only for excluding

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ing some, *whom*, in his Opinion, *it is neither decent nor safe to admit*. Now, is it not more reasonable to enumerate particularly such Officers, as may be thought unworthy of a Seat in Parliament, (that the House may distinctly consider the Nature of each Office) than to exclude All, with an Exception, in which the Proposers of the Bill cannot be sure, that all Officers are included, whom they would deign to admit?---The Place-bill is the common Subject of Conversation. Members of Parliament solicit their Electors to solicit Them to vote for the Place-bill. "The Constitution is not secure, they cry, without the Place-bill. We insist upon the Place-bill." What Place-bill? The same, you will say, as was proposed in the last Session. And what was that?-----A Blank. The worthy Member, who proposed it, did indeed tell us, what it should be. But for a Reason, which I guess, the Scheme has not been published. And I doubt much, whether my Colleague has acquainted you with it. Nor will I pretend to repeat the List of Employments designed to be inserted in the Blank. But I can assure you, it differs from that, which was formerly offered by the same Gentleman. And I am convinced by his Authority, that it is difficult to determine precisely, what Place-men ought to be excepted out of the general Exclusion.

*Foreman.* I MUST own, I never heard, what Offices were designed to be excepted: A few only,



only, I conjecture, and those of the first Rank :  
The Red-coats, I hope, are not included.

Sir *A. O.* YEs, they are: And tho' I do not agree with you in thinking, that Gentlemen of Family or Fortune, who are trusted by the King and Parliament with the Defence of the Kingdom, are not fit to be trusted by their Electors with Seats in the House of Commons; I see no Reason for putting them upon a better Foot than the chief Servants of the Crown. You seem to wonder. I will explain myself. As the Law now stands, (which seems not to be generally known) \* if a Member of the House of Commons accepts any Office of Profit from the Crown, his Election is void; and a new Writ must issue; tho' he may be re-elected. But this Provision does not extend to any Member being an Officer in the Navy or Army, who receives any new or other Commission in the Navy or Army. Now, if all general Officers in the Army, and all Colonels commanding Regiments, as well as all Admirals, and Captains of Men of War, are permitted to sit in the House, (as the Gentleman, who moved the Bill, proposed) and if they may continue Members without Re-election, after Acceptance of new Commissions, they have an Advantage not allowed to Persons in other Employments, tho' of the greatest Dignity.

AND (as we were told by one of the Gentlemen who spoke for the Bill) there are

\* 6 Annæ, c. 7. Sect. 26. 28.

now

now Seventy-six general Officers, and Thirty-four Colonels. What the Number of Captains of Men of War is, or may be hereafter, I cannot tell. Besides, so many other Offices are intended to be tenable with a Seat in Parliament, that (as the Proposer of the Bill said) One hundred and Fifty Officers would still be capable of being Members; and a Gentleman of great Parts and Eloquence, who spoke on the same Side of the Question, made, by his Calculation, the Number much greater.

*Foreman.* At this rate, this will not be such a self-denying Bill, as we imagined it to be.

*Sir A. O.* Nor is it intended to be so. The Proposer of it, in recommending the Bill, said, he would make the Exception as large as might be; so that, if all who voted for the Bill, wished it might pass, (which has been doubted) there is room for them in the next Parliament, though they should have the Disgrace of being Place-men; or the Bill may be repealed, if it be found inconvenient. The Clause in the Act of Succession for excluding all Place-men, met with this Fate. — I must, however, in Justice to the Gentleman, who moved the Bill, acknowledge, that he opened it with great Fairness and Candour, informing us, that he meant to exclude inferior Officers only. To the Objection, that the Bill was a great Alteration of the Constitution, he answered, as you say in the Instructions, That it is necessary to support the Constitution. If that be true, the  
Con-



Constitution has had good Luck in being preserved so long without it. For what is now said of Corruption, was asserted in the Reign of King *William*, by the first Devisers of these self-denying Bills. As to the Objection, that the Bill is an Abridgment of the Right of the Electors, he said, " That their Rights had already been very much abridg'd by several Acts of Parliament." That is true; but is the Argument popular? If the Electors are willing to be abridged of their Rights of chusing Place-men, they may abridge themselves of that Right, if they think fit. As to the Assertion (made, as he said, in some Papers) that, if the Bill should pass, few Gentlemen of Property or Ability would be elected Members, he answered, " That far from declining the Service of their Country in Parliament, Men of Fortune, if they were not over-balanced by Place-men, would be inclined to serve, with a View of rescuing their Estates from the Burden of those Taxes which have so long subsisted, and are not yet diminished." I am as sorry as he can be, that those Taxes remain, and will probably be increased by the War. But the Self-interest of Country Gentlemen, if this Bill should pass, and they should procure themselves to be elected Members, with this View of freeing themselves from the Burden of Taxes, would, I fear, be a more pernicious Influence, than the Influence of Places. And if another Influence should prevail likewise in a future Parliament, (which may happen) this Bill will scarce

be the Means of preserving the Constitution. But have the Place-men (of whom, as you say, the Majority of the House of Commons is composed) no Property? Have their Friends, who, without Places, often concur with them, no Property! A Register of Estates, which many of your Friends oppose, would soon tell in whom is the greater Property; a Property too valuable, and too permanent, not to be more regarded, even by the Selfish, than the precarious Tenure of the most lucrative Employment. The Act 10<sup>o</sup> *Anna*, which requires the Qualification of Estates, is, in some measure, a Security against the Influence of Places. But if you still dread the Effects of this Influence, Why do you not fear another kind of Influence? An Influence equally, at least, pernicious, the Influence of Anger and Resentment. Is it no Scandal, to tell Gentlemen, they vote one way, because they are paid? And is it a Scandal, to say, their Adversaries vote differently, because they are not paid! If you impute the Compliance of those, who constantly support the Administration, to the Influence of Places; may not they impute the constant Opposition of your Friends, to the Influence of Resentment? For my own part, (as was said, in the last Session, by an honest Country Gentleman) I can't tell by Experience, how either of these Influences would operate upon me, having never had any Place, and having never been disappointed in my Expectation of any. But Disappointment seems to be



a worse Motive than Dependence; and if, in a future Parliament, any Members should be under the Influence of Disaffection to this Government, a Combination between the Disappointed and Disaffected, would then probably furnish a Number equal to that of Place-men, as was said by the same Country Gentleman.

*Foreman.* THIS is the common Artifice of you Ministry-men, to call Patriotism Disaffection: But, I hope, the Gentlemen in the Country Interest, will still endeavour to put Things upon a right Foot, though they should be called *Jacobites* for so doing.

Sir *A. O.* You can't be ignorant, that there are some *Jacobites* in the Kingdom; and though I know, that you, and many Gentlemen, who wish a Change in the Administration, wish no Change in the Government; I think, I may as well suspect, that *Jacobites* will disguise themselves in the Form of Patriots, to obtain that which they really design, as that Men of Family and Fortune will be biassed by their Places, to enslave themselves and their Posterity, which they certainly cannot design. Why is this Place-bill so much insisted upon *now*? Corruption, you say, prevails in the Senate. Is this an Argument to persuade the Majority of the House to yield? Was the Motion for the Bill a Compliment to that Assembly? (as one Gentleman was pleased to say) No! it is (to use the Words of another Gentleman) saying, "Join  
C 2 " your-

“ yourselves.” If they have sold their Votes to the Prejudice of their Country, Will they have the Folly to own the Charge? If they are not conscious of deserving the Reproach, Will they consent to alter the Form of the Constitution, to gratify their Adversaries? If all the Surgeons of *Edinburgh*, who, I find, are great Politicians likewise, should come in a Body to a certain Great Minister and advise him to be blooded, would he hold out his Arm at their Request, if he felt no Disorder? And would he be more inclined to humour them, if they should affirm, that his Grace sent them? Or would he not say, as he said in the House, “ No Man will take Physick for a Disease, which he is not conscious he lies under?” It has been asked, in what Instances has this undue Influence of Preference appeared? The Answer is, “ Nothing has been done by the Ministry, which the Parliament has not approved.” Is this Censure, or Applause? But in what particular Instances? The Answer is, In the Riot Act (made to prevent Insurrections and Rebellions); in the Excise Scheme (which the Majority laid aside, when they found it was, though by Misrepresentation, rendered unpopular); and in the late Approbation of the Measures taken to prevent, if it were not necessary, or at least defer, a War with *Spain*; a War which has since been declared. One Reason given for avoiding this War, if it were possible, was the Apprehension of an Alliance between *Spain* and



and *France*. Less pusillanimous Politicians ridiculed that Prediction. I wish, that it were still a Prediction only, and that they might still ridicule it. But the Dye is cast; we are engaged in the War. The justest War (as this is) must be attended with great Expence, and that increased too by some Accidents, which no Forecast could prevent. The Nation is encouraged, by Events in the *West-Indies*, to hope for a Continuance of Success: And though *France* has declared a Resolution to retard the Progress of our Arms, we neither are, nor ought to be intimidated. But surely it is not proper at this Time to disunite ourselves by Disputes about speculative Propositions.

*Foreman*. BUT, Sir, the Voice of the People!

Sir *A. O.* OF what People? Of the Electors in general? They want no Law to restrain them from chusing Place-men. Why should they importune the Legislature to limit their Choice, when they may without Law confine themselves? Is it popular to tell the People, or will they own, that they are too venal to be trusted with the Choice of their Representatives? There are Citizens and Burgesses in Parliament, as well as Knights of the Shire; and till *Oliver's* Project is renewed, (which some of your Friends seem willing to attempt) I cannot think, that the Grand Juries of Counties have a Right to speak for the whole Body of Electors. And in this County, which I have the Honour to represent, your Opinion, I believe,

lieve, is not the Sense of my Constituents. If the Majority of the Electors in any City or Borough have consented to these Instructions; let them act as they speak, and they need not require the Law for *themselves*; but they have no Right to require it for *others*. I was in hopes, indeed, that we should hear no more of this Bill in this Parliament. With what Prospect of Success is it again moved! You have a better Opinion of the Majority, I see, than you confess. Either you contradict yourselves in believing, that all Place-men are not determined to vote, as their Interest guides them; or you must allow, (as the Fact is) that the Majority is not composed of Place-men. Or do you hope, that some Members will be corrupted with the Fear of losing their Seats in the next Parliament, if they do not vote against their Opinion in this? Or do you rely upon the Votes and Credit of some Members, who were Place-men in the last Session, and will not be Place-men in the next? How can you be sure, that, having repented so late, they will not relapse into their former Complaisance? If the Bill should pass in the House of Commons, you may foresee, what will be its Fortune in the House of Lords. Will they make a Precedent against themselves? and strike at their own Power? If the Members of the House of Commons must be compelled by the Voice of the People, to deprive themselves of their natural Capacity; will not the Lords soon be called upon to deprive themselves of their



their natural Rights? And will not the Lords justly excite a Clamour against their Partiality, if they consent to a Bill, which makes an Office and a Seat in the House of Commons incompatible, upon the Principle of Influence and Corruption, and leave themselves at Liberty to enjoy Employments of Profit, together with their Peerages?

*Foreman.* BUT I have heard, that in King *William's* Reign, a Bill of this Kind was sent from the Commons, and did pass in the House of Lords; tho' the King refused the Royal Assent to it.

Sir *A. O.* It is very true, that a Bill "Touching free and impartial Proceedings in Parliament," passed in both Houses, and was rejected by the King. What was the Tendency of that Bill, and of other Bills, which bore the same Title, in that and the following Reign, I have learn'd from History; being too young to be an Observer of publick Transactions in those Times. And if I could take the Liberty to detain you, I could satisfy you, I believe, that the first Projectors of Place-bills were not Self-deniers.

THIS Collection of Books and MSS. relates chiefly to the *English* Constitution. By their Help, if you would do me the Honour to dine with me, I would undertake, in the Afternoon, to give you a Detail of what has been attempted, and what has been obtained, to prevent the Influence of Places in the House of Commons. The Variety of Propositions  
made

made for this Purpose, demonstrate their Incertainty. And it will appear, that the Acts, which have passed, and are now in Force, for remedying the Evil complained of, make a further Remedy unnecessary: If not, that the Remedy now desired would be as ineffectual, as it is unseasonable and inconvenient.

SIR *T. G.* having accepted the Invitation, and growing by Degrees more familiar, the Conversation at Dinner was enlivened with that Chearfulness and Pleasantry, which good Nature and good Breeding are then apt to promote, even in a mixed Company of Gentlemen not agreeing in their political Sentiments. Sir *A. O.* recommended himself to his Guest by talking of Country Affairs; and Sir *T. G.* checked his Spleen against Courtiers; and really began to think, that the Measures of the Administration had been misrepresented; since Sir *A. O.* whose Independence he knew, had generally approved them; tho' he could not refrain from joking upon the Government, for not giving Sir *John Norris* an East Wind. After Dinner, when they had drank Wine enough, Sir *A. O.* proposed to return to the Library, and drink Coffee there. The Discourse upon Place-bills was renewed: And Sir *A.* thus performed his Promise:

Sir *A. O.* You will perhaps expect from me an Account of the Self-denying Ordinance; tho' it bears no Resemblance to a modern Place-bill.



Place-bill. *Cromwell's* Trick in procuring it, and his Usurpation, which was the Effect of it, are generally known; and detested. Yet this Ordinance did not disable Officers to sit in Parliament, tho' it discharged the Members *of both Houses* from the Offices *then* held by them, which had been conferred by both or either of the Houses of Parliament, or by any Authority derived from both or either of them, since the 20th Day of *November* 1646. As for those Members, who had Offices by Grant from the King before that Parliament, and were by him displaced, sitting the Parliament, and had since, by Authority of both Houses, been restored; they (with some others) were by express Words excepted. And even those Members, who were thus dismissed from their Employments, were not incapacitated to accept the same, or other Offices, by a new Appointment.

*WHITLOCKE*, in his Speech against this Ordinance, repeats and answers the pretended Reasons for it. One of his Reasons against it, is a Reason against any Place-bill. His Words are these: "I shall conclude with  
 " the Example of the *Grecians* and *Romans*,  
 " amongst whom, Sir, you know, that the  
 " greatest Offices, both of War and Peace,  
 " were conferred upon their Senators. And  
 " their Reasons were, because They, having  
 " greater Interest than others, were the more  
 " capable to do them the greatest Service;

\* *Whitlocke's* Memorials, p. 115.

“ and having the same Interest with the Se-  
 “ nate, and present at their Debates, they  
 “ understood their Business the better, and  
 “ were less apt to break their Trust, which  
 “ so nearly concerned their private Interest,  
 “ which was involved with the Publick; and  
 “ the better they understood their Business,  
 “ better Service might be expected from  
 “ them.

“ SIR, I humbly submit the Application to  
 “ your Judgment: Your Ancestors did the  
 “ same; they thought the Members of Par-  
 “ liament fittest to be employed in the greatest  
 “ Offices. I hope, you will be of the same  
 “ Judgment; and not at this time, to pass this  
 “ Ordinance, and thereby to discourage your  
 “ faithful Servants.”

BUT it was in vain to argue against this Self-  
 denying Ordinance, which, as *Whitlocke* says,  
 passed, *Envy and Self-ends prevailing*.

IN the Reign of King *Charles* the Second,  
 tho' the Compliance of his long Parliament,  
 called *The Pensioner Parliament*, was liable  
 to much Censure; yet, in his next Parliaments,  
 when the House of Commons were averse to  
 the Court, and the Behaviour of their Prede-  
 cessors was fresh in their Memory; they did  
 not attempt thus to alter the Constitution, by  
 excluding from their House the Servants of  
 the Crown; tho' they prepared Bills for ex-  
 cluding the King's Brother from the Throne.

IN the Reign of King *James*, the Dissent  
 of his House of Commons to the Measures of  
 the



the Court, when they perceived his Design to introduce an arbitrary Government, is a remarkable Evidence, that Preferment, and the Favour of the Crown, will not always seduce the Gentry of *England* to assist in subverting the Laws of their Country. But Party-zeal and Disappointment does often prevail in great Assemblies, and endanger publick Liberty. This appeared, after the Revolution, in the Conduct of the Tories, and some Whigs, who united their Endeavours to distress their Deliverer. Give me Leave to read some Passages out of *Burnet's* History of his own Times.

“ \* B U T the Party of the Tories were too  
 “ inconsiderable, to have raised a great Op-  
 “ position, if a Body of Whigs had not join-  
 “ ed. Some of these had such Republican  
 “ Notions, that they were much set against  
 “ the Prerogative; and they thought, the  
 “ King was become too stiff in maintaining  
 “ it. Others were offended, because they  
 “ were not considered, nor preferred, as they  
 “ thought they deserved: The chief of these  
 “ were Mr. *Paul Foley*, and Mr. *Harley*.  
 “ The first of these was a younger Son of one,  
 “ who from mean Beginnings, had from Iron-  
 “ works raised one of the greatest Estates  
 “ that had been in our Time. He was a  
 “ learned, tho’ not a practising Lawyer; and  
 “ was a Man of Virtue and good Principles,  
 “ but morose and wilful; and he had the Af-  
 “ fection of passing for a great Patriot, by

\* Vol. II. p. 109.

D 2

“ his

“ his constant finding Fault with the Govern-  
 “ ment, and keeping up an Ill-humour and  
 “ bad Opinion of the Court. *Harley* was  
 “ a Man of a noble Family, and very eminent-  
 “ ly learned, much turned to Politicks, and  
 “ of a restless Ambition. He was a Man of  
 “ great Industry and Application, and knew  
 “ Forms, and the Records of Parliament, so  
 “ well, that he was capable both of lengthening  
 “ out and of perplexing Debates. Nothing  
 “ could answer his aspiring Temper. So he  
 “ and *Foley* joined with the Tories to create  
 “ Jealousies, and raise an Opposition. They  
 “ soon grew able to delay Matters long, and  
 “ set on Foot some very uneasy Things, that  
 “ were popular; such as *the Bill against Par-*  
 “ *liament-mens having Places*, and that for  
 “ dissolving the Parliament, and having a new  
 “ one every third Year.” —

— “ WHEN \* the Party, that was set  
 “ against the Court, saw they could carry  
 “ nothing in either House of Parliament;  
 “ then they turned their whole Strength  
 “ against the present Parliament, to force a  
 “ Dissolution, And in order to that, they  
 “ first loaded it with a Name of an ill Sound.  
 “ And, whereas King *Charles's* Long Parlia-  
 “ ment was called *The Pensioner Parliament*,  
 “ they called this *The Officers Parliament*;  
 “ because many, that had Commands in the  
 “ Army, were of it. And the Word that

\* Vol. II. p. 105, 106.

“ they



“ they gave out among the People, was, That  
 “ we were to be governed by a standing  
 “ Army, and a standing Parliament. They  
 “ tried to carry a Bill, that render’d all Mem-  
 “ bers of the House of Commons incapable  
 “ of Places of Trust or Profit ; so that every  
 “ Member, that accepted a Place, should be  
 “ expelled the House, and be incapable of  
 “ being chosen again, to sit in the current Par-  
 “ liament. The Truth was, it came to be  
 “ observed, that some got Credit by opposing  
 “ the Government ; and that, to silence them,  
 “ they were preferred ; and then they changed  
 “ their Note, and were as ready to flatter, as  
 “ before to find Fault. This gave a specious  
 “ Colour to those who charged the Court  
 “ with Designs of corrupting Members, or,  
 “ at least, of stopping their Mouths by Places  
 “ or Pensions. When this Bill was set on,  
 “ it went through the House of Commons  
 “ with little or no Difficulty : Those who  
 “ were in Places had not Strength and Credit  
 “ to make great Opposition to it ; they being  
 “ the Persons concerned, and looked on as  
 “ Parties : And those who had no Places, had  
 “ not the Courage to oppose it : For, in  
 “ them, it would have looked as an Art to  
 “ recommend themselves to one. So the Bill  
 “ passed in the House of Commons ; but it  
 “ was rejected by the Lords : Since it seemed  
 “ to establish an Opposition between the  
 “ Crown and the People ; as if those who  
 “ were

“ were employ’d by the one, could not be  
 “ trusted by the other.”—

WITH this View, and with this Success, was the first Place-bill proposed, 1692. As I have Copies, in this Collection, of the several Place-bills which have been proposed, I will read the Preamble of this:

“ FORASMUCH as nothing can be of  
 “ greater Importance to the Kingdom, than  
 “ that such Persons as are elected by the  
 “ People to represent them in Parliament,  
 “ should faithfully discharge the high Trust  
 “ reposed in them: And whereas, *in former*  
 “ *Parliaments, under the late Kings*, several  
 “ Members have been so far corrupted, as to  
 “ neglect the true Interest of the Nation, pre-  
 “ ferring their own Advantage before that of  
 “ the Publick ”—

THEREFORE the Bill Enacted, That, if any Member, *except the Speaker*, from and after the First Day of *February* 1692. should, *after his Election*, accept any Place under the Crown, he should be disabled to sit in the House of Commons, and give any Voice therein, during that Parliament.

You will observe, That this Bill did not take from the Electors their Right of chusing Place-men, unless upon a Vacancy made by the Acceptance of an Office after Election; nor did it vacate the Election of a Member, who had an Office before his Election.

THE



THE ridiculous Exception, in favour of the Speaker, which became a Matter of Controversy in the next Session, was, probably, in this, one Reason with the Lords for their rejecting the Bill.

IN the next Session 1693. the same Bill, *verbatim*, (except in the Commencement, which was the First Day of *January* 1693.) passed without Opposition in the House of Commons.

THE Lords agreed to it with Amendments, which allowed the Member, disabled by his Acceptance of an Office *after Election*, to be *re-elected* in the same Parliament; and left out the *Proviso* in favour of the Speaker.

THE Commons agreed to the Amendments relating to the Re-election; but disagreed to the Amendment relating to the Speaker; for which, in a Conference, this Reason was given: “ That the Speaker of the House of Commons, being frequently a Person eminent in the Law, is, by his constant Attendance in that Chair, hinder’d from his Practice in the Courts below: So that, if he be made incapable of other Office or Employment, the Commons, in the Choice of their Speaker, will prejudice the Person they design for that Employ.”

THE Lords thereupon did not insist upon this Amendment; tho’ many Lords, upon the Question, for Agreement with the Commons, dissented; and the Earl of *Rocheſter*, and Bishop of *London*, subscribed this Protest:

“ BE-

" BECAUSE that an Act that complains of  
 " Corruption, in former Parliaments, and de-  
 " signs to provide against it for the future,  
 " ought not, in our Opinion, to contain a  
 " Clause to allow any one Member of the  
 " House of Commons to be excepted from the  
 " general Rules prescribed; to hinder all the  
 " Members from taking Employments, espe-  
 " cially the Speaker of that House; who, if he  
 " can be capable of being corrupted, may, by  
 " himself alone, do much more Mischief than a  
 " great many of the Members can do together.  
 " And this Clause, allowing the Speaker of  
 " the House of Commons to be capable of  
 " such Preferments, Advantages, and Employ-  
 " ments, which all other Members are debar-  
 " red from, by virtue of this Act, seems to  
 " establish the Possibility of Corruption in  
 " him by a Law, which, we conceive, would  
 " be scandalous for the present, and of very  
 " dangerous Consequence in Times to come."

IT may be proper to take Notice, that Sir  
*John Trevor* was then Speaker, who (if we  
 may believe *Burnet*, Vol. II. p. 42.) recom-  
 mended himself to the Chair by his Dexterity  
 in managing the *Tories*; and was furnish'd  
 with Money to buy off Votes, a Practice more  
 pernicious, as it is more secret, than rewarding  
 by Offices, and likely to be more frequent  
 hereafter, under another Ministry, if the Place-  
 bill should pass into a Law.

AND I must add, That this Speaker, Sir  
*John Trevor*, was afterwards expelled the  
 House,



House, for accepting a Gratuity ; though not from the Crown.

BUT to return to this Place-bill in 1693. Had the King given the Royal Assent to it, (which he refused) the Law would then have been just as it now is, by virtue of the Act made in Queen *Anne's* Reign, which I shall soon mention more particularly. And if, as that House of Commons in 1693. thought, this Law was sufficient to redress the Grievance of Corruption, why should this House of Commons be less content with a Remedy, which the most active Adversaries to the Court then contended for, as effectual ? Their Opinion is manifested by the Resentment which they expressed, when the King refused his Royal Assent to this Bill. The House resolved itself into a Committee of the whole House, to consider of the State of the Kingdom ; and Colonel *Granville* reported from the Committee these Resolutions :

1. " THAT whoever advised the King not  
" to give the Royal Assent to the Act *Touch-*  
" *ing free and impartial Proceedings in Parlia-*  
" *ment*, (which was to redress a Grievance,  
" and take off a Scandal upon the Proceedings  
" of the Commons in Parliament) is an Ene-  
" my to their Majesties, and the Kingdom.

2. " THAT a Representation be made to  
" his Majesty, humbly to lay before him, how  
" few the Instances have been, in former  
" Reigns, of denying the Royal Assent to Bills  
" for Redress of Grievances ; and the great

“ Grief of the Commons for his not having  
 “ given the Royal Assent to several publick  
 “ Bills, and particularly to the Bill intituled,  
 “ *An Act touching free and impartial Pro-*  
 “ *ceedings in Parliament*; which tended so  
 “ much to the clearing the Reputation of this  
 “ House, after their having so freely voted to  
 “ supply the publick Occasions.”

THESE Resolutions were agreed to by the House; and a Committee was appointed to prepare an humble Representation to his Majesty upon the said Resolutions.

THE Representation was reported from the Committee, and is as follows; *viz.*

*May it please Your Most Excellent Majesty,*

“ **W**E your Majesty’s most dutiful and loyal  
 “ Subjects, the Commons in Parliament  
 “ assembled, think ourselves bound in Duty  
 “ to your Majesty, humbly to represent, that  
 “ the Usage in Parliament in all Times hath  
 “ been, That what Bills have been agreed by  
 “ both Houses for the Redress of Grievances,  
 “ or other publick Good, have, when tendered  
 “ to the Throne, obtained the Royal Assent \* :  
 “ And that there are very few Instances in  
 “ former Reigns, where such Assent in such  
 “ Cases hath not been given, and those at-  
 “ tended with great Inconveniencies to the

\* Queen *Elizabeth* refused the Royal Assent to Forty-eight publick Bills, at one Time. *Vid. Townshend’s Hist. Collections*, p. 127.

“ Crown



“ Crown of *England*; especially where the  
 “ same hath been with-held by Insinuations of  
 “ particular Persons, without the Advice of  
 “ the Privy Council; thereby creating great  
 “ Disaffections and Jealousies in the Minds  
 “ of the People.

“ YOUR Commons therefore, out of their  
 “ sincere Desire of the Welfare of your Ma-  
 “ jesty, and your Government, and that you  
 “ may always reign in Prosperity and Happi-  
 “ ness in the Affection of your Subjects, can-  
 “ not without Grief of Heart reflect, that  
 “ since your Majesty’s Accession to the Crown,  
 “ several publick Bills, made by Advice of  
 “ both Houses of Parliament, have not ob-  
 “ tained the Royal Assent; and in particular  
 “ one Bill, intituled, *An Act touching free  
 “ and impartial Proceedings in Parliament*:  
 “ Which was made to redress a Grievance,  
 “ and take off a Scandal relating to the Pro-  
 “ ceedings of your Commons in Parliament,  
 “ after they had freely voted great Supplies  
 “ for the publick Occasions; which they can  
 “ impute to no other Cause, than *your Ma-  
 “ jesty’s being unacquainted with the Consti-  
 “ tutions of Parliament* †, and the Insinua-  
 “ tions of particular Persons, who take upon  
 “ them, for their own particular Ends, to advise  
 “ your Majesty contrary to the Advice of Par-  
 “ liament; and therefore cannot but look on

† For Words like these, a Member, in the late Reign,  
 was committed Prisoner to the *Tower*.

“ such as Enemies to your Majesty, and your  
“ Kingdom.

“ WE beg, Sir, you will be pleased to con-  
“ sider us as answerable to those we represent ;  
“ and it is from your Goodness we must ex-  
“ pect to soften to them, in some measure, the  
“ necessary Hardships they are forced to un-  
“ dergo in this present Conjuncture ; and  
“ therefore humbly beseech your Majesty, for  
“ the removing all Jealousies from your  
“ People, (without which the Parliament will  
“ be less able to serve your Majesty, or to  
“ support the Government) to be pleased to  
“ follow the Course of the best of your  
“ Predecessors, and to direct some Expedient,  
“ whereby your Majesty, your Parliament and  
“ People, may reap the Fruit designed by that  
“ Bill, to which your Majesty, by ill Advice,  
“ was pleased so lately to deny the Royal  
“ Assent.”

BUT the House thought fit to leave out those uncivil Words, “ *Your Majesty's being unacquainted with the Constitutions of Parliament,*” and to disagree with the Committee in the last Paragraph ; instead whereof, another Conclusion for the said Representation was agreed to, being prepared by a Committee upon the Debate of the House. That Conclusion was in these Words :

“ UPON these Considerations, we humbly  
“ beseech your Majesty to believe, that none  
“ can have so great a Concern and Interest  
“ in the Prosperity and Happiness of your  
“ Majesty,



“ Majesty, and your Government, as your  
 “ two Houses of Parliament ; and do there-  
 “ fore humbly pray, That, for the future,  
 “ your Majesty would graciously be pleased to  
 “ hearken to the Advice of your Parliament,  
 “ and not to the secret Advices of particular  
 “ Persons, who may have private Interests of  
 “ their own, separate from the true Interest of  
 “ your Majesty, and your People. ”

To this Representation, presented by the  
 whole House, the King gave this Answer :

*Gentlemen,*

“ **I** AM very sensible of the good Affections  
 “ you have expressed to me upon many  
 “ Occasions, and of the Zeal you have shewn  
 “ for our common Interest. I shall make use  
 “ of this Opportunity to tell you, that no  
 “ Prince ever had a higher Esteem for the  
 “ Constitution of the *English* Government  
 “ than myself, and that I shall ever have a  
 “ great Regard to the Advice of Parliaments.  
 “ I am persuaded, that nothing can so much  
 “ conduce to the Happiness and Welfare of  
 “ this Kingdom, as an intire Confidence be-  
 “ tween the King and People, which I shall  
 “ by all means endeavour to preserve; and I  
 “ assure you, I will look upon such Persons  
 “ to be my Enemies, who shall advise any  
 “ thing that may lessen it. ”

WHICH Answer being considered by the  
 House; and the Question being put, That an  
 humble Application be made to his Majesty  
 for

for a further Answer; it passed in the Negative. *Yea's*, 88. *No's*, 229.

AND so this Contest ended---But afterwards in the same Session, upon the second reading of a Bill then depending in the House, for granting Duties on Salt, Ale and Beer, it was resolved, "That no Member of the House  
" should be concerned directly or indirectly,  
" in the farming, collecting, or managing  
" the Duties to be collected by that Bill, or  
" any other Aid to be granted to their Majesties, other than the present Commissioners of the Treasury, and the Officers and  
" Commissioners for managing the Customs  
" and Excise."

IN Consequence of this Resolution, when the Bill was committed, it was an Instruction to the Committee to prepare a Clause to that Effect. A Clause was accordingly inserted in the Bill, which passed into a Law: And thereby all Members concerned in farming, collecting, or managing Aids and Duties, (except the Commissioners of the Treasury, and the Officers and Commissioners for managing the Customs and Excise, not exceeding the then present Number in each Office) stand incapacitated\*.

AND for a Breach of this Law, *Richard Wollaston*, Esq; a Member, having been concerned, and acted as a Receiver of the Duties upon Houses, and also upon Births, Marriages and Burials, was the 20th of *February* 1698. expelled the House.

\* 5 and 6 *W. & M.* c. 7. Sect. 58.



THE Officers and Commissioners of the Customs and Excise (excepted by this Law) were afterwards incapacitated to be Members; the Officers of Excise, by 11 and 12 *W. 3.* c. 2. sect. 150. and of the Customs, by 12 and 13 *W. 3.* c. 10. sect. —

THIS Incapacity imposed upon particular Officers at that time, seems to have been thought by the Majority, a satisfactory Expedient.

FOR in the next Session, (1694.) when a Place-bill, worded as that in 1693. with an Allowance of a Re-election, but without the Proviso in Favour of the Speaker (of which before the Commons appeared so tenacious) had been much contested and debated, and after several Divisions in the Progress of it, was read the third time; the Question being put, That the Bill do pass;

It passed in the Negative. *Yea's*, 142. *No's*, 175.

AND the Bill was by Order rejected.

IN this Session, the Bill for triennial Parliaments passed both Houses; and the King gave his Assent, which he had refused to the like Bill in the Session 1693. when the first Place-bill was proposed.

IN the next Parliament, in which Mr. *Foley* was Speaker, (as he was in the Close of the last, upon the Disgrace of Sir *John Trevor*) no further Application was made (as I can find) for a Place-bill.

BUT in the first Session of a new Parliament in 1698. that Session, in which the Army was

was reduced to Seven thousand Men, and the Commons vexed the King, by other Expressions of Ill-humour\*, a Place-bill of another Kind was proposed, intituled, *A Bill to restrain the Number of Officers sitting in the House of Commons.* The Preamble was short; viz. "To the end that all Proceedings in Parliament may be free and impartial."

THE Bill Enacted, "That after 25 March 1699. no Person should be capable to be elected a Member, who, at the Time of the issuing out the Writ for Election, or at any Time afterwards during the Continuance of the same Parliament, should be possessed of any Office from the Crown, except the Officers particularly named in the Bill" (which was brought in without a Blank in the Exception.)

I WILL read you the List :

" Commissioners of the Treasury and Admiralty, not exceeding Five in each Commission.

" Acting Privy-counsellors.

" Secretaries of State.

" Chancellor and Under-Treasurer of the Exchequer.

" Master of the Ordnance.

" Treasurer of the Ordnance.

" Three principal Flag-Officers in the Fleet.

" Treasurer of the Navy.

" Surveyor of the Navy.

" General Officers of the Army, who were Natives of *England*, and actually served as such under his Majesty, in the late Wars.

\* Burnet, Vol. II. p. 219.



" Officers in the Militia.

" Attorney-General.

" Solicitor-General.

" The then present Secretary of the Treasury.

" First Commissioner in the Commissions of the Customs and Excise.

" Officers in Corporations.

" Officers of Inheritance, or *quamdiu se bene gesserint*, having been usually so granted, for the Space of thirty Years then last-past.

" Officers, the Profit of whose Office did not exceed the Sum of 40*l.* yearly (so as such Officer had Lands of Freehold and Inheritance, of the yearly Value of 500*l.*)

" And half-pay Officers."

THIS Bill passed in the House of Commons, but not without a Division upon the Question for Ingrossing. *Yea's* 182. *No's* 141.

It was carried to the Lords by the famous Sir *John Bowles*; but the Lords did not pass it.

IN the next Session \*, a Bill was presented for the more free and impartial Proceedings of Parliament, with this Preamble:

" Forasmuch as nothing can be of greater Importance to the Kingdom, than that such Persons as are elected by the People to represent them in Parliament, should faithfully discharge that high Trust reposed in them."

THE Bill enacted, That after 25 *March* 1700. if a Member, *after his Election*, should accept any Place from the Crown, he should be disabled to sit in that Parliament.

\* 1699.

And a Clause was added by the Committee, obliging the Members to swear, not to take any Place of Profit, Reward, or Gratuity, for any Service done, or to be done, as Members of Parliament.

BUT the Report of the Amendments made to this Bill, was adjourned from time to time; and the Bill was not further proceeded upon in the House of Commons during that Session.

IN the first Session of the next Parliament, in which (as \* *Burnet* asserts) a *French Party* prevailed, and the Influence of *French Louis-dores* was suspected; and when the *Tories*, who were a great Majority in the House of Commons, shewed great Partiality in judging Elections; and when the Lord *Somers*, with other Lords, was impeached: This Condition (among others) was annexed by the Commons, upon Mr. *Harley's* Motion, to the Bill *For the further Limitation of the Crown*, (with a Design, it has been supposed, to make it unacceptable) “ That after the Limitation of the  
“ Crown, made by that Act, should take  
“ Effect, no Person who should have an  
“ Office, or Place of Profit, under the King,  
“ or should receive a Pension from the Crown,  
“ should be capable of serving as a Member  
“ of the House of Commons.”

THOSE who wished well to the Act, (as *Burnet* says †) were glad to have it passed any way, and so would not examine the Limita-

\* *Burnet*, Vol. XI. p. 217, 218, 219.

† Vol. II. p. 271.



tions that were in it ; they thought it of great Importance to carry the Act, and that at another Time those Limitations might be better considered. So the Act passed.

Sir *T. G.* THIS general Exclusion of all Place-men was, you must own, a Self-denying Law.

Sir *A. O.* SELF denying! Was not the Incapacity deferred, till the Succession in the House of *Hanover* should take place? An Event, to speak tenderly, rather wish'd by one Party, than fear'd by another. And I cannot be so civil to some Persons in the Country Interest, as to forget what Endeavours they used to defeat this Succession. But if I should allow, that there is an Appearance of Self-denial in imposing that Incapacity on all Members, under a future Government; may I not ask, Why the same Patriots, upon King *William's* Death, did not continue to exert the same Self-denying Spirit?

FOR in the first Session of Queen *Anne's* first Parliament 1702. upon the Question being put, That Leave be given to bring in a Bill *For the more free and impartial Proceedings of Parliament*, by providing, That no Person whatsoever, in any Office or Employment, should be capable of sitting in Parliament; it passed in the Negative. *Yea's* 77. *No's* 138.

BUT Leave was given to bring in a Bill *For the more free and impartial Proceedings in Parliament*, by providing, That no Person shall be chosen a Member of the House of

Commons, but such as have a sufficient real Estate; which Bill passed the House of Commons, but did not pass the House of Lords.

By which Bill, the Qualification of a Knight of the Shire, was Five hundred Pounds; and of a Citizen or Burgess, Three hundred Pounds a Year.

13 January 1704. Two several Bills were ordered to be brought in; one *To prevent Persons, who are intitled by their Offices, to receive any Benefit, by publick annual Taxes to be granted*; and the second, *For the excluding out of the House of Commons, all Persons that were in any Offices or Employments erected since the Sixth Day of February 1684. or to be erected.*

THE first of these Bills, upon the Question for passing, was rejected. *Yea's 133. No's 139.*

To the second, which passed the House of Commons, the Lords made some Amendments, which were not agreed to by the Commons.

OF these Bills, *Burnet* gives the following Account:

“ \* A GENERAL Self-denying Bill was offered in the House of Commons, by those very Men who, in the first Session of Parliament, when they hoped for Places themselves, had opposed the Motion of such a Bill, with great Indignation. Now the Scene was a little alter'd; they saw they were not like to be Favourites; so they pretended to be Patriots: This looked so

\* *Burnet*, Vol. II. p. 412.

“ strangely



“ strangely in them, that it was rejected. But  
 “ another Bill, of a more restrained Nature,  
 “ passed, disabling some Officers, particularly  
 “ those that were concerned in the Prize  
 “ Office, from serving in Parliament. To  
 “ this a general Clause was added, that dis-  
 “ abled all who held any Office, that had  
 “ been created since the Year 1684. or any  
 “ Office that should be created for the future,  
 “ from sitting in Parliament. This passed  
 “ among them, and was sent to the Lords;  
 “ who did not think fit to agree to so general  
 “ a Clause; but consented to a particular Dis-  
 “ ability, put on some Offices by Name. The  
 “ Commons did not agree to this Alteration;  
 “ they would have all or nothing. So the  
 “ Bill fell.”

In the first Session of the next Parliament,  
 1705. a Bill for the more free and impartial  
 Proceedings of Parliament, by preventing too  
 great a Number of Officers sitting in Parlia-  
 ment, which was, upon the Question, (*Yea's*  
 220, *No's* 134.) ordered to be brought in,  
 was read the first Time.

THE Preamble of which was this: “ For  
 “ the more free and impartial Proceedings in  
 “ Parliament, to prevent the Inconveniencies  
 “ which may arise from too great Number  
 “ of Officers in the House of Commons.”

THE Bill Enacted, “ That no Person should  
 “ be capable to sit and vote in the House of  
 “ Commons, who should have any Office  
 “ from the Crown, except—

Here

Here followed a Blank ; and this is the first Example of the kind.

THE Bill was not read a second Time, being postponed, while the Amendments to the Bill, *for the better Security of the Protestant Succession*, were under Consideration ; and being thought unnecessary, when the Provisions, which I shall now give some Account of, were ingrafted into that Bill.

THAT Bill which passed in the House of Lords, being sent to the Commons, met with much Opposition there : The Committee of the whole House, to whom it was committed, were impowered to receive a Clause for explaining, regulating and altering the Clause before-mentioned, in the Act *for the further Limitation of the Crown*, relating to Officers not being Members.

A CLAUSE marked (B) was accordingly, to this Effect, added ; which recited the said Clause in the Act *for the further Limitation of the Crown* ; viz. “ That no Person who  
 “ has an Office or Place of Profit under the  
 “ King, or receives a Pension from the Crown,  
 “ shall be capable of serving as a Member of  
 “ the House of Commons.” And further recited, “ That it appeared reasonable, that  
 “ the said recited Clause should be regulated  
 “ and altered.” And therefore Enacted, “ That  
 “ notwithstanding the said Act, it should and  
 “ might be lawful, to and for the several  
 “ Officers of the Crown, therein after-men-  
 “ tioned,



" tioned, being duly elected Knights, Citizens,  
 " Burgesses or Barons of the *Cinque Ports* in  
 " Parliament, and to no other Person, having  
 " in his own Name, or in the Name of any  
 " Person or Persons in Trust for him, or for his  
 " Benefit, any Office or Place of Profit under  
 " the Crown, or any Pension, Salary, Pay or  
 " Wages from the Crown, (other than Pen-  
 " sions of Inheritance, or for Life, which  
 " have been already granted) to meet, sit and  
 " vote in such House of Commons, as shall  
 " meet in Parliament on the Demise of her  
 " Majesty, without Issue, by virtue of this  
 " Act, and in all future Parliaments, to be  
 " thereafter convened or assembled; that is to  
 " say, Officers of Inheritance, or for Life,  
 " absolute, or *quamdiu se bene gesserint*;  
 " Justices of the Peace, Officers of Corpora-  
 " tions, and Officers of the Trained-bands or  
 " Militia of this Kingdom, for such their Of-  
 " fices only; Treasurer of the Household,  
 " Comptroller of the Household, Vice-cham-  
 " berlain, Chancellor and Under-Treasurer of  
 " the Exchequer, Two principal Secretaries of  
 " State, King or Queen's first Serjeant at Law,  
 " Attorney General, Solicitor General, Com-  
 " missioners of the Treasury, not exceeding  
 " Five; Secretary of the Treasury; Commis-  
 " sioners of the Admiralty, not exceeding  
 " Five; Treasurer of the Navy, Comptroller  
 " of the Navy, Secretary at War, Chancellor  
 " of the Duchy of *Lancaster*, Lieutenant  
 " General of the Ordnance, General Officers  
 " of

“ of the Army, being Natives of *England*,  
 “ or born beyond the Seas of *English* Parents,  
 “ and having a freehold Estate in *England*, not  
 “ exceeding Five, to be allowed according to  
 “ their Precedency; Flag Officers of the Navy,  
 “ not exceeding Five, to be allowed accord-  
 “ ing to their Precedency; and other Officers,  
 “ being sworn Members of the Privy Council,  
 “ not exceeding Ten; the first sworn to be  
 “ first preferred,” &c.

WHICH Clause being sent, with the Bill, to  
 the Lords, was amended by them, by inserting  
 Words, which repealed, instead of regulating  
 and altering, the said recited Clause, in the Act  
*for the further Limitation of the Crown*; and by adding a *Proviso*, “ That from and  
 “ after the Dissolution or Determination of  
 “ that Parliament, no Person who should have,  
 “ in his own Name, or in the Name of any  
 “ Person or Persons in Trust for him, or for his  
 “ Benefit, any new Office or Place of Profit  
 “ whatsoever, under the Crown, which at any  
 “ Time hereafter should be created or erected;  
 “ nor any Person, who should be a Commis-  
 “ sioner or Sub-Commissioner of Prizes, or  
 “ Receiver of the Prizes, should be capable  
 “ of being elected, or of sitting or voting as  
 “ a Member of the House of Commons.”

THESE Amendments, with the Bill, being  
 returned to the Commons, were disagreed to  
 by them.

BUT



BUT they added to the List of Officers, excepted in their Amendment,

- “ THE Lieutenants and Deputy-Lieutenants
- “ of Counties, Cities and Places.
- “ Commissioners of Sewers.
- “ Officers of Forests, Parks or Chaces.
- “ *Custodes Rotulorum*.
- “ Vice-Admirals, and
- “ Stewards or Bailiffs of Courts, Honours,
- “ Hundreds or Manors.”

FOR which Disagreement with the Lords, in the said Amendments to Clause (B), the Commons, at a Conference, gave these Reasons :

“ BECAUSE they cannot consent to repeal a  
 “ Clause which was made to redress a Grievance so frequently complained of in Parliament; and your Lordships, by your  
 “ Amendment, tho’ it excludes only Persons  
 “ from sitting in the House of Commons,  
 “ that shall have new Offices or Places of  
 “ Profit under the Crown, hereafter to be  
 “ created, and the Commissioners, Sub-  
 “ Commissioners, and Receivers of the Prizes,  
 “ do admit some Provision of that Nature to  
 “ be reasonable.

“ BECAUSE a total Repeal of the said  
 “ Clause would admit such an unlimited  
 “ Number of Officers to be Members of the  
 “ House of Commons, as may destroy the  
 “ free and impartial Proceedings in Parlia-  
 G “ ment,

“ ment, and endanger the Liberties of the  
“ Commons of *England*.

“ BECAUSE by the Words left out by  
“ your Lordships, a competent Number of  
“ Officers is admitted to sit in the House of  
“ Commons; and by the Words inserted in  
“ their stead, a sufficient Number is not ex-  
“ cluded.”

THE Lords insisted upon their Amend-  
ments, for the following Reasons:

“ THE Lords insist upon the Second and  
“ Third Amendments made by them to the  
“ Clause marked (B); which relate to the  
“ repealing the Clause in the Act, intituled,  
“ *An Act for the further Limitation of the*  
“ *Crown, and the better preserving the Rights*  
“ *and Liberties of the Subject*; whereby  
“ Persons having Offices or Places of Profit,  
“ or Pensions from the Crown, are made  
“ incapable of serving as Members of the  
“ House of Commons.”

*First*, “ BECAUSE they conceive, that  
“ the said general disabling Clauses ought to  
“ be repealed, as inconsistent with the Na-  
“ ture and Constitution of the *English* Go-  
“ vernment: For to Enact, That all Persons  
“ employed and trusted by the Crown, shall  
“ for that Reason alone become incapable of  
“ being trusted by the People, is, in Effect, to  
“ declare, That the Interests of the Crown  
“ and of the People must be always contrary  
“ to



“ to each other ; which is a Notion no good  
 “ *Englishman* ought to entertain.

*Secondly*, “ THEY think such a Clause is  
 “ manifestly injurious to the People of *Eng-*  
 “ *land*, who are the proper Judges of what  
 “ Persons are fit to represent them in the House  
 “ of Commons. And therefore a Clause  
 “ which in so great a measure deprives the  
 “ Electors of their Freedom in chusing, seems  
 “ to be built upon a Supposition, that the  
 “ People are become either so corrupt, or so  
 “ insensible, that they ought no longer to be  
 “ trusted in the same manner they have al-  
 “ ways hitherto been, with the Choice of  
 “ their own Representatives, and may often  
 “ deprive them of the Service and Assistance  
 “ of the most valuable Men in the Kingdom ;  
 “ for that will always be the Case, when the  
 “ Crown makes a right Choice in filling  
 “ Offices with Gentlemen of Interest, Pro-  
 “ bity and Understanding.

*Thirdly*, “ THE Lords apprehend, that the  
 “ excluding Officers from sitting in the House  
 “ of Commons, may tend to increase the  
 “ Number of Pensions there, which they  
 “ think would be infinitely of more dange-  
 “ rous Consequence.

*Fourthly*, “ THE Act made in the last  
 “ Reign, *for the frequent Meeting and Call-*  
 “ *ing of Parliaments*, was intended, and  
 “ seems to be an effectual Security against  
 “ any real Prejudice to the People, by in-  
 “ troducing an excessive Number of Officers

“ into the House of Commons. For the Na-  
 “ tion, having such frequent Opportunities of  
 “ new Elections, may help themselves at  
 “ Pleasure, by lessening the Number of Of-  
 “ ficers, or totally forbearing to chuse any  
 “ of them. And this they certainly will not  
 “ fail to do, as soon as they find them to be  
 “ a Grievance.

*Fifthly*, “ THE Government has subsisted  
 “ happily for many hundred Years without  
 “ any disabling Law of this Nature. And  
 “ the Lords have observed, that the clamo-  
 “ rous Discourses spread about, in relation to  
 “ the great Number of Officers sitting in Par-  
 “ liament, have been chiefly since the late  
 “ happy Revolution; and yet within the Com-  
 “ pass of that Time, more excellent Laws  
 “ have been made for declaring and securing  
 “ the Rights and Liberties of the People, and  
 “ the Freedom of Parliaments, than in the  
 “ Course of some Ages before; which does  
 “ demonstrate, that there has been hitherto  
 “ no Mischief from Persons in Office, and  
 “ gives the Lords Cause to think, that such  
 “ Clamours (tho’ they may have created some  
 “ Prejudice in the Minds of well-intentioned  
 “ Persons, yet) took their true Rise from ill-  
 “ designing Men, who observed with Regret,  
 “ the active Zeal, with which those who were  
 “ in Employments under the Crown, sup-  
 “ ported the present Establishment, and pur-  
 “ sued the common Interest of Prince and  
 “ People.

*Sixthly*,



*Sixthly*, “ THE Amendment made by the  
 “ Lords to the Clause (B), secures the King-  
 “ dom against future Excesses in multiplying  
 “ Offices, (not necessary for the Interest of the  
 “ Government) upon any indirect account,  
 “ by disabling all who shall hereafter come  
 “ into any new-created or erected Offices  
 “ from being elected, or from sitting or  
 “ voting as Members of the House of Com-  
 “ mons. The Lords have also, by the same  
 “ Amendment, disabled all Officers relating  
 “ to the Prizes, from sitting in the House of  
 “ Commons, according to the Intent of a  
 “ Bill, which for that Purpose was sent up  
 “ to the Lords by the last House of Com-  
 “ mons.

*Seventhly*, “ THE Commons, in the Clause  
 “ (B), admit it to be reasonable, that the  
 “ general disabling Clause should be regu-  
 “ lated and altered ; and the Lords are of  
 “ Opinion, that there can be no safe and  
 “ just way of making such Alteration, but by  
 “ naming expressly, and in certain and plain  
 “ Words, what Officers ought to stand excluded  
 “ from the House of Commons, and to re-  
 “ peal the general Clause as to all others.  
 “ And therefore the Form of the next Amend-  
 “ ment of the Lords (from which they can-  
 “ not depart) makes it necessary for them to  
 “ insist upon the Word *Repeal*, and not to  
 “ admit that the Words (*Regulated and Al-*  
 “ *tered*) should stand, as being wholly impro-  
 “ per,

“ per, with respect to the Lords next Amend-  
 “ ment.”

THE Lords insist upon their Fourth  
 Amendment :

“ BECAUSE that Amendment does in ex-  
 “ press Terms say, what Offices shall be ex-  
 “ cluded, and who shall be liable to the Pe-  
 “ nalty mentioned in the Clause (B), in case  
 “ they afterwards presume to sit. This Me-  
 “ thod of the Lords gives a fair Opportunity  
 “ of considering distinctly the Nature of the  
 “ Office, and weighing the Reasons on both  
 “ Sides, before so hard a Judgment be passed,  
 “ as that of excluding the Officer from his  
 “ Seat in the House of Commons : Whereas  
 “ the Uncertainty of the Commons Clause  
 “ deprives the Lords of any such Opportu-  
 “ nity, since they cannot be sure of having  
 “ under their Consideration all the Offices to  
 “ which it will extend ; and it cannot but be  
 “ very dangerous to admit such an uncertain  
 “ Clause, in regard to the Time of its taking  
 “ Effect, upon the Demise of the Queen  
 “ without Issue ; a Time, in all Probability,  
 “ when cautious Men will be willing to find  
 “ an Excuse for sitting still, and even when  
 “ wise Men will be apprehensive of acting ;  
 “ since by the Commons Clause so great a  
 “ Latitude will be left for uncertain Determi-  
 “ nations, as to the Persons who shall, or  
 “ shall not, be excluded from Parliament.

*Secondly,* “ THE Time when this Clause is  
 “ to take place, seems to be an unanswerable  
 “ Objection,



“ Objection, (though it might be admitted at  
 “ another Time) because it does directly con-  
 “ tradict the main Design of the Bill, which is  
 “ to provide, that when the Limitation to the  
 “ Successor shall take place, all things should  
 “ remain in the same State they were left at  
 “ the Time of the Demise of her Majesty  
 “ without Issue — For which End the Bill  
 “ expressly appoints, that the Parliament  
 “ which last met and sat before that unhappy  
 “ Accident, should be continued, in order not  
 “ only to avoid the Mischiefs of new Ele-  
 “ ctions at such a Time, but even Disputes in  
 “ the House of Commons about Elections.  
 “ But the Clause (B) (if it should be agreed  
 “ to) will make the House of Commons be-  
 “ come an imperfect and defective Body, by  
 “ turning out great Numbers of those who  
 “ were legally chosen, and in Possession of  
 “ their Seats, at the very Instant when the  
 “ Nature of the Occasion necessarily requires,  
 “ and the Bill expressly provides, that the Par-  
 “ liament must meet immediately.

*Thirdly,* “ EXPERIENCE has shewn, that  
 “ when Men are engaged in Election of Mem-  
 “ bers to serve in the House of Commons,  
 “ great Divisions arise amongst them, and Ani-  
 “ mosities are heightened to a dangerous De-  
 “ gree ; and therefore nothing can be of  
 “ worse Consequence, than to give Occasion  
 “ for these unhappy Ferments in the King-  
 “ dom, by making it necessary to have so  
 “ many new Elections at such a Juncture ;  
 “ which

“ which must create many Disorders, even  
 “ amongst the best-affected Subjects, and will  
 “ give a dangerous Opportunity to all that are  
 “ disaffected, of disturbing the publick Peace.  
 “ Elections will of Necessity draw together  
 “ great Numbers, and at the same time make  
 “ it impossible for the Government to watch  
 “ over them, or to obviate ill Designs, with-  
 “ out doing what may be pretended to be an  
 “ Infringement of the Freedom of Elections :  
 “ So that great Bodies may get together, in  
 “ order to set up the Interest of a Pretender to  
 “ the Crown, without being observed, or at  
 “ least without being opposed, till it may be  
 “ too late to suppress them. For Instance :  
 “ Suppose the Lords should agree to the Clause  
 “ (B), and that at the Time of the Demise of  
 “ her Majesty without Issue, the Members  
 “ that served for *Portsmouth* should be dis-  
 “ abled, so that there must be a Proceeding to  
 “ a new Election at that Place ; at the Time  
 “ of Election, according to known Custom,  
 “ the Garrison is to march out, and all Per-  
 “ sons, who will pretend to a Right of giving  
 “ Votes, must be admitted. The mere Stating  
 “ this matter of Fact, will sufficiently explain  
 “ of what fatal Consequence this may be (if  
 “ Advantage be taken of the Opportunity) for  
 “ putting so important a Fortrefs into the  
 “ Hands of such as may be far from meaning  
 “ to keep it for the Benefit of the Protestant  
 “ Successor. This may probably happen to  
 “ be the Case at that Time, in most of the  
 “ other



“ other Garrisons ; and the Enemies to the  
 “ Succession (who, if this Clause was passed,  
 “ would know where new Elections must be)  
 “ would not fail to make their Preparations  
 “ accordingly ; and therefore the Lords can  
 “ never agree to a Clause of this Nature,  
 “ which is first to take place in the Parliament,  
 “ that is, by this Bill to be continued upon  
 “ the Demise of her Majesty without Issue ;  
 “ because it seems to them to tend plainly to  
 “ defeat the Design of the Bill, the Security  
 “ of the Protestant Succession.

*Fourthly,* “ The House of Commons desire  
“ the Clause (B) should be understood to be  
“ a Self-denying Clause, principally designed  
“ for excluding Officers out of the House of  
“ Commons ; whereas the Lords conceive the  
“ Clause to be a claiming for themselves, and  
“ a kind of seizing to their own Use, so many  
“ of the most considerable Offices in the King-  
“ dom ; the greatest Part whereof are at least  
“ equally proper for the Lords, and have been  
“ often possessed by Lords, and other Com-  
“ moners not Members of Parliament. And  
“ had these privileged Officers been excepted  
“ only for the necessary Information of the  
“ House, one or two of a Sort, or of each  
“ Commission, might have been sufficient  
“ for that Purpose. The Lords also cannot  
“ omit to observe, the Commons offer no  
“ Expedient, nor propose any Remedy, to  
“ restrain Members of the House of Commons  
“ from soliciting and procuring for their Re-  
“ lations

" lations and Dependents, all those Offices, for  
 " which they make Men incapable of sitting  
 " among themselves. And the Lords think,  
 " that if Offices are so really destructive of free  
 " and impartial Proceedings in Parliament, as  
 " the Commons suppose, without some Pro-  
 " vision of this kind be made; Persons who  
 " are within Doors, will remain as much lia-  
 " ble to the Influence of Offices upon their  
 " Votes as before; since Offices given or  
 " refused at the Solicitation of Members of  
 " Parliament for their Creatures, may give as  
 " strong a Bias to their Voting, as if such  
 " Offices were given or refused to the Mem-  
 " bers themselves.

*Fifthly,* " THE Clause marked (B) is  
 " liable to Objection; because it will exclude  
 " divers considerable Officers, who, by the  
 " Nature of their Employments, might be of  
 " great Service to the Publick in Parliament;  
 " and on the other hand, does admit of many  
 " others, to whom the Lords think there are  
 " just Exceptions, (in case it could be at all fit  
 " to proceed in the Method taken by the  
 " House of Commons) and particularly to  
 " those who have Pensions, which was ever  
 " thought the most dangerous way of influ-  
 " encing Members of Parliament, and was  
 " found to be so in the Reign of King *Charles*  
 " the Second. And tho' the Clause is restrained  
 " to Pensions of Inheritance, or for Life; yet  
 " it is well known, the Payment of Pensions  
 " may be so precarious, that this Considera-  
 " tion



“ tion alone may be allowed to affect Mens  
 “ Votes, at least as much as an Office.

*Sixthly*, “ THE Form and Method of the  
 “ Amendment made by the House of Com-  
 “ mons, in naming such Officers as they are  
 “ willing should sit among them, and letting  
 “ the general disabling Clause remain, as to all  
 “ others, can never be reduced to such a Cer-  
 “ tainty as may reasonably be agreed to. If  
 “ the Lords had agreed to the Amendment,  
 “ as it was sent up by the House of Commons,  
 “ great Numbers would have been made unca-  
 “ pable of sitting in Parliament, whom the  
 “ Commons never intended to exclude. The  
 “ Lords could still enumerate many other Of-  
 “ ficers, to whose Continuance in the House,  
 “ they believe, the Commons could have no  
 “ manner of Objection; or, at least, for whose  
 “ Exclusion no good Reason can be alledged.  
 “ And many more may be involved in the  
 “ same Misfortune, who may not now be  
 “ called to mind. There needs no greater  
 “ Demonstration, that this may be, than that,  
 “ after the House of Commons had sent up  
 “ the Clause (B), in which they enumerated  
 “ all the Officers they then thought fit to  
 “ allow to sit, and which they continue to  
 “ say, in the Reasons deliver'd at the last Con-  
 “ ference, was a competent Number, they  
 “ have, nevertheless, by an Amendment  
 “ made to their own Amendment, allowed  
 “ many Hundreds of Officers to be capable  
 “ of sitting, who stood absolutely excluded

“ by their Amendment, as it was first sent up  
“ to the House of Lords.

*Lastly*, “ THE Lords can never agree to  
“ this new Amendment made by the House of  
“ Commons, to their Clause (B), as it was  
“ deliver’d at the last Conference; because  
“ that would be to admit, that the House of  
“ Commons can amend an Amendment made  
“ by themselves; than which nothing is more  
“ plainly against the Custom of Parliament,  
“ and the known Course of Proceedings be-  
“ tween the Two Houses; which the Lords  
“ think, ought to be ever kept sacred. This  
“ Course of Proceedings is founded upon un-  
“ deniable Reason; for if either House might  
“ be admitted to amend their own Amend-  
“ ments, it would directly tend to make Pro-  
“ ceedings between the Two Houses endless,  
“ and introduce all sort of Confusion and Dis-  
“ order in passing of Bills.

“ THE Lords insist upon their Sixth  
“ Amendment :

“ BECAUSE the same is adapted to their  
“ former Amendment.

“ THE Lords do also insist upon their  
“ Sixth, Seventh, Eighth, Ninth,  
“ Tenth, Eleventh and Twelfth A-  
“ mendments:

“ BECAUSE these depend upon the other  
“ Amendments, on which the Lords have  
“ insisted; for they cannot think it reasonable,  
“ that any Disabilities or Incapacities should  
“ take place, in respect to a Parliament be-  
“ fore



“ fore that Time duly chosen, and which had  
 “ fat ; much less in respect to a Parliament  
 “ continued only for Six Months, to obviate  
 “ Difficulties which may occur to the Successor ;  
 “ and to preserve the publick Peace at so  
 “ critical a Juncture, as that of her Majesty’s  
 “ Demise without Issue : And, on the other  
 “ hand, the Lords think it reasonable, that  
 “ such new Incapacities as are thought necessary  
 “ to be ordained, ought to take place as  
 “ soon as may properly be, to the end it  
 “ may the sooner appear, whether such Alterations  
 “ will be justified by Experience.”

UPON the Report of these Reasons, the Commons amended the Amendment of the Lords, which disabled particular Persons to sit in the House of Commons, by adding several other Officers, and altering the Commencement of that Disability, and inserting a *Proviso* for vacating the Election of a Member accepting an Office, (but giving him a Right to be re-elected) and for preventing too great a Number of Commissioners ; and also a *Proviso* in favour of Officers in the Navy and Army ; and desisted from their Disagreement to the Amendments made by the Lords : And the Lords having agreed to the last-mentioned Amendments made by the Commons, the Bill passed both Houses, and received the Royal Assent.

THE Words of the Act so passed, relating to this Matter, are as follow :

“ AND

“ AND whereas also, in and by the said Act  
 “ it was, amongst other Things, Enacted in the  
 “ Words following : “ That no Person who  
 “ has an Officer or Place of Profit under the  
 “ King, or receives a Pension from the Crown,  
 “ shall be capable of serving as a Member of  
 “ the House of Commons : And it appearing  
 “ reasonable, that the said recited Clause should  
 “ be repealed : Be it therefore Enacted by the  
 “ Authority aforesaid, That the said last-re-  
 “ cited Clause shall be, and is hereby annulled  
 “ and repealed, as if the same Act had never  
 “ been made.

“ PROVIDED always, and be it further  
 “ Enacted by the Authority aforesaid, That  
 “ from and after the Dissolution or Deter-  
 “ mination of this present Parliament, no  
 “ Person who shall have in his own Name, or  
 “ in the Name of any Person or Persons, in  
 “ Trust for him, or for his Benefit, any new  
 “ Office or Place of Profit whatsoever under  
 “ the Crown, which at any time hereafter  
 “ shall be created or erected ; nor any Person  
 “ who shall be a Commissioner or Sub-Com-  
 “ missioner of Prizes, Secretary or Receiver of  
 “ the Prizes, nor any Comptroller of the Ac-  
 “ counts of the Army, nor any Commissioner  
 “ of Transports, nor any Commissioner of  
 “ the Sick and Wounded, nor any Agent for  
 “ any Regiment, nor any Commissioner for  
 “ Wine Licences, nor any Governor or Deputy-  
 “ Governor of any of the Plantations, nor any  
 “ Commissioner of the Navy employ'd in any  
 “ of



“ of the Out-ports, nor any Person having  
 “ any Pension from the Crown during Plea-  
 “ sure, shall be capable of being elected, or  
 “ of sitting or voting as a Member of the  
 “ House of Commons, in any Parliament  
 “ which shall hereafter be summoned and  
 “ holden.

“ PROVIDED always, That if any Person,  
 “ being chosen a Member of the House of  
 “ Commons, shall, at any time after the Dis-  
 “ solution or Determination of this present  
 “ Parliament, accept of any Office of Profit  
 “ from the Crown, during such time as he  
 “ shall continue a Member, his Election shall  
 “ be, and is hereby declared to be void ; and  
 “ a new Writ shall issue for a new Election,  
 “ as if such Person, so accepting, was natu-  
 “ rally dead. Provided nevertheless, That such  
 “ Person shall be capable of being again elected,  
 “ as if his Place had not become void, as afore-  
 “ said.

“ PROVIDED also, and be it Enacted,  
 “ That in order to prevent, for the future, too  
 “ great a Number of Commissioners to be  
 “ appointed or constituted for the executing  
 “ of any Office, that no greater Number of  
 “ Commissioners shall be made or constituted  
 “ for the Execution of any Office, than have  
 “ been employed in the Execution of such re-  
 “ spective Office, at some time before the First  
 “ Day of this present Session of Parliament.

“ PROVIDED also, That nothing herein  
 “ contained shall extend, or be construed to  
 “ extend,

“ extend; to any Member of the House of Com-  
 “ mons, being an Officer in her Majesty’s  
 “ Navy or Army, who shall receive any new  
 “ or other Commission in the Navy or Army  
 “ respectively \*.”

THIS Method of reconciling the Contro-  
 versy between the Lords and Commons, has  
 been called *The Expedient*.

THE Reasons of the Lords, to which the  
 Commons yielded, are said to have been written  
 by the Lord *Somers*. And I wonder, that their  
 Force and Perspicuity has not made some Gen-  
 tlemen, who must have read them, Converts  
 to his Opinion.

*Foreman*. BUT there is one Argument in  
 them, if I recollect, founded upon the frequent  
 Opportunities of new Elections, by virtue of  
 the Act for *Triennial* Parliaments; which can-  
 not be urged now. In *Septennial* Parlia-  
 ments those Opportunities, surely, are not fre-  
 quent.

Sir *A. O.* YET, if the Law be now, that  
 no Member can sit in the House after the Ac-  
 ceptance of an Office, without the Consent of  
 his Electors, as was, after the Draught of these  
 Reasons, agreed between the Lords and Com-  
 mons; that Consent is now more expeditiously  
 obtained or refused, a new Election being im-  
 mediately necessary.

THESE Provisions, then made, were re-en-  
 acted after the Union, by Act of 6 *Annæ*, c. 7.  
 which extended the former Act to the united

\* Vid. 4. *Annæ*, c. 7. Sect. 25. 26. 27. 28. 29.



Kingdoms, and a *British* Parliament. And I wonder, that after such a solemn Determination, the Sticklers for Place-bills should not be satisfied or silenced. But in 1709,

A BILL for securing the Freedom of Parliaments, by limiting the Number of Officers in the House of Commons, was ordered to be brought in, upon a Division; and though it met with much Opposition in the Progress, was passed upon a Division; *Yea's* 197. *No's* 175. And was sent to the Lords.

THE Preamble of this Bill was, "For securing the Freedom of Parliament, by limiting the Number of Officers in the House of Commons."

AND the Bill, which was to commence after the Dissolution or other Determination of that Parliament, disabled Persons having Offices from being elected, or serving as Members, except—

THE Officers excepted were as follow :

" Officers of Inheritance, or for Life, or  
" *quam diu se bene gesserint.*

" Treasurer  
" Comptroller } of the Household.

" Vice-Chamberlain

" Cofferer

" Chancellor and Under-Treasurer of the  
" Exchequer.

" Principal Secretaries of State.

" King's first Serjeant at Law.

" Attorney General.

I

" Soli-

- “ Solicitor General.
- “ Commissioners of the Treasury, not exceeding Five.
- “ Secretary of the Treasury.
- “ Commissioners of the Admiralty, not exceeding Five.
- “ Treasurer of the Navy.
- “ Comptroller of the Navy.
- “ Secretary at War.
- “ Chancellor of the Dutchy of *Lancaster*.
- “ Lieutenant General of the Ordnance.
- “ General Officers of the Army, not exceeding Seven, to be allowed according to their Precedency.
- “ Flag-Officers of the Navy, not exceeding Seven, to be allowed according to their Precedency.
- “ And other Officers, being sworn Members of the Privy-Council, not exceeding Ten, the first sworn to be first preferred.”

BUT this Bill did not pass in the House of Lords.

A BILL in the same Form and Words was presented in the next Session 1710.

TO the Officers excepted in the Bill of the former Session, the Lord Advocate, the Lord Clerk Register and Solicitor General in *Scotland*, were added.

THE House divided upon the Question for the Third Reading, *Yea's*, 235. *No's* 143. So it was read the third time, passed, and sent up to the Lords ; but not passed by them.

IN



IN this Session, the Act for Qualification of Members by Estates passed, and made the Project of a new Place-bill less necessary.

BUT in the next Session 1711. the same Place-bill was again brought in and passed in the House of Commons, and was sent up to the Lords, who did not pass it: Of which *Burnet* gives this Account:

“ THE \* Self-denying Bill was brought  
 “ into the House of Commons, and, as was  
 “ ordinary, it passed easily there. The Scandal of Corruption was now higher than  
 “ ever; for it was believed Men were not  
 “ only bribed for a whole Session, but had  
 “ new Bribes for particular Votes. The  
 “ Twelve new Peers being brought into the  
 “ House of Lords, had irritated so many there,  
 “ that for Two Days, by all the Judgment  
 “ that could be made of the House, the Bill  
 “ was likely to have passed that House. But  
 “ upon some prevailing Arguments, secretly  
 “ and dexterously applied to some Lords, an  
 “ Alteration was made in it, by which it was  
 “ lost: For whereas the Bill, as it stood, was  
 “ to take place after the Determination of  
 “ the present Parliament; this was altered, so  
 “ as it should take Place after the Demise of  
 “ the Queen: So it was no more thought on.”

WHAT Art or Dexterity was used, or by whom, in prevailing with the Lords to disagree with the Commons, I cannot say.

\* *Burnet*, Vol. II. p. 598.

BESIDES the Amendment, which *Burnet* mentions, other very material Amendments were made by the Lords, by leaving out the Names of all the great Officers excepted by the Commons; for the same Reason, it may be, that was given by the Lords in 1705. against the like Exception; *viz.*

“ THAT the Commons, by that Exception,  
“ seemed to claim to themselves those Offices,  
“ which might as properly be executed by the  
“ Lords.”

BUT after all these Amendments, the Bill was rejected.

IN 1713. the like Bill was, in the House of Commons, ordered to be brought in, and presented with the usual Blank; and when the Bill was committed, an extraordinary Motion was made for committing it to the Committee to whom the Malt-bill was committed: But the Motion passed in the Negative. *Yea's*, 111. *No's*, 160.

AND the Bill did not pass; the Order for resolving the House into a Committee upon it, being adjourned from time to time.

IN the following Session, 1713. the like Bill was presented and passed in the House of Commons, and was carried to the Lords; the same Officers being excepted, as in the last.

BUT it did not pass in the House of Lords.

IN 1715. the like Bill was ordered to be brought in, and easily passed in the House of Commons; but was not passed by the Lords,  
tho'



tho' they were reminded of the Bill by Message from the House of Commons. The Officers excepted were the same as in the Bill last-mentioned.

FROM that Time till the Year 1733. this Spirit of Reformation was quiet; but in the Years 1733, 1734, 1735. and in the last Session, these Blank Place-bills, with a Clause excluding all Substitutes or Deputies of Officers, have been proposed in the House of Commons, without Success; none of them having had the Fortune to be committed; and that of the last Session not being suffered to be brought in. How the great Blank in these Bills would have been filled up, if they had been committed, I will not conjecture, since the Advocates for these Bills have differed from themselves, as well as with one another, as to the Catalogue of Offices fit to be excepted.

THE Exception proposed last Year, as I told you, was more comprehensive than any of the former.

MORE Offices may be included in the next. The House perhaps may then have the Curiosity to see the whole List.

I HAVE now finished my History of Place-bills: If the Constitution wants a Remedy, *the Doctors* differ, you see, in their Prescriptions.

THE first Place-bill in 1692. disabled all Members, except the Speaker, accepting Offices *after their Election*.

THE

THE Bill in 1693. as it passed both Houses, disabled all Members, except the Speaker, accepting Offices *after their Election*; but allowed a *Re-election*.

By a Clause in a Bill in the same Session, which passed into a Law, all Members concerned in farming, collecting, or managing Duties or Aids granted by Parliament, (except the Commissioners of the Treasury, and the Officers in the Customs and Excise) were disqualified to be Members.

By two subsequent Laws, *viz.* 11 & 12 *W.* 3. cap. 2. & 12 & 13. *W.* 3. cap. 10. the Officers of the Customs and Excise, (before excepted) were likewise incapacitated.

IN the Bill proposed in 1694. the Proviso in Favour of the Speaker, was omitted; but tho' it agreed in every other respect with that proposed in 1692. it did not pass in the House of Commons.

THE Bill in 1698. disabled all Persons to be Members, who should have Offices *at the Time of issuing out the Writs for Election*, except a Number of Officers, mentioned particularly in the Bill.

THE Bill in 1699. which did not pass in the House of Commons, incapacitated Members accepting Offices *after their Election*, without giving them the Capacity of being re-elected.

THE Clause in the Act of Settlement \* excludes from the House of Commons, all

\* 12 & 13 *W.* 3. c. 2.

Officers,



Officers, without Exception, when the *Hanover* Succession should take place.

THE Bill proposed in the First Parliament of Queen *Anne*, for an immediate Exclusion of all Officers, was rejected.

IN 1704. by one Bill, which did not pass in the House of Commons, all Persons intitled by their Offices, to receive any Benefit from publick annual Taxes, and by another Bill, which did then pass in the House of Commons, all Persons in any Offices erected since the 6th Day of *February* 1684. or to be erected, were excluded.

THE Commons, in 1705. by one of their Amendments to the Act *for the better Security of the Succession*, excepted many Officers out of the general Exclusion intended by the Clause in that Act of Settlement, which I have quoted; it appearing reasonable, as that Amendment recited, that the said Clause should be *regulated* and *altered*.

THE Lords thought it as reasonable to *repeal* that Clause; and disabled, absolutely, all Persons having any new-created Offices, and every Commissioner, Sub-Commissioner, or Receiver of Prizes, from being elected in any future Parliament.

THE Commons, at first, insisted upon their Regulation; and disagreed with the Lords in the Repeal of that Clause— And yet, finding that several Officers were, by Mistake, omitted in their Exception, they attempted to correct  
that

that Error, and amended their own Amendment.

BUT, after Conference with the Lords, they consented to the Repeal of that Clause, with a *Proviso*, That after the Determination of that Parliament, the Seat of a Member, accepting an Office after his Election, should be vacated; but that he might be re-chosen.

AND to the Officers absolutely disabled by the Lords to sit in the House of Commons, they added several others; the Disability to take place after that Session.

THE Lords agreed to this Compromise; and the Bill passed into a Law.

THE subsequent Bills *for limiting the Number of Officers in the House of Commons*, differ in the Offices excepted.

BUT are these *Self-denying Bills*, as they are called? And is there any Merit in a Scheme for Power\*? I declare, for my own part, That if the Remedy proposed did not seem to me inconvenient, I would not take from this Administration the Assistance of their most deserving Friends, merely to indulge the Anger or Ambition of their Adversaries. I am far from concluding, that all the Patrons of this Bill agree in wishing the same Effect; much less

\* It was said in the Debate upon the Place-bill, in the last Session, That the Injustice of the Reproach, "That Gentlemen in Opposition desire Power," is shewed by their Zeal for this Bill.



that it is moved (as some believe) on purpose to be thrown out, or in hopes that it will be repealed at a proper Opportunity. But it is evident, that some flatter themselves with the Prospect of a Change; and are persuaded, that this Bill will destroy the present Administration, and not disserve their Successors. For if no more Officers are excepted, than were mentioned in the last Session, every Member (now in the Opposition) may have the Burden of an Employment. And if the Exception is to be more confined, (as some think it ought to be) What will be the Consequence? The most considerable Commons might then hold the most considerable Employments; and I doubt, whether such Country Gentlemen, as would then, probably, be Members, would, out of mere Gratitude to the Crown for the Preservation of our Laws and Liberties, be willing to tax themselves for the sake of the Publick; unless they should accept private Rewards for their Concurrence: And this no Place-bill or Pension-bill can prevent. Since, as is well urged in those Reasons of the Lords, Offices given or refused, at the Solicitation of Members of Parliament, for their Creatures, may give as strong a Bias to their Voting, as if such Offices were given or refused to the Members themselves. I should be sorry if the Complaints of Corruption were true; and I wish, that there was more Virtue in those that complain. True Patriotism will ever be admired: But the

Pretence of it is ridiculous. Let us say what we will, and make what Laws we please, the Generality of the Elected, as well as of the Electors, will be self-interested. If a Member be a Man of Honour, a Place will not influence him. If he be dishonest, the Want of a Place will not secure him from Temptation: Or, in other Words; If Men are good, the Bill is unnecessary; if bad, ineffectual. We live in an Age in which Duty is to be bought. And I condemn less, in Men retained by Places, that Motive to support the Protestant Succession, than in *Jacobites*, and mock Patriots, meaner Motives to destroy it.

Suppose, if you will, every thing that bears the Appearance of Vice or Virtue, to be in Reality the Result of Self-interest: May not Place-men have Property to retain them on the Side of their Country? And may not Profit in Reversion give the contrary Bias to Men without Places? If they have no Advantage in Prospect, may not they have the present Satisfaction of Revenge? And when that is the Case, I am apt to think, one who is under the Controul of his own Resentments, serves, at least, as implicitly as any Man can do under the Influence of an Employment.

ON which Side, do you think, would be the Balance, if an Account were stated between these two Sorts of *Corruption*? (For I can call that by no better Name, which enslaves a Man to his own Passions). Examine  
the



the Behaviour of contending Parties. Have not the Minority, in former Reigns and Parliaments, been often a firm and unshaken Body? Unanimous in all their Measures, though made up of Men professing different and inconsistent Principles? And in Points of Opposition to the Majority, having but one Voice, and acting as one Man? On the contrary, when Questions of a popular Nature have been proposed, to what Cause shall we impute that great Increase of the Minority, which usually happens upon these Occasions? Has it not been owing to the Accession of those very Men, who are said to be unalterably attached to their own Party by ministerial Influence? Is it not from their Tenderness, and Fear of expressing their Dissent to plausible Proposals, that Men less scrupulous hope Success in their Projects of modelling the Constitution, for their own personal Benefit? Thus the Conscience of the Honest may be called upon to assist the Ambition of the Crafty. He is indeed a bad Actor, who desires to move his Audience, and does not seem to be affected himself. But I wonder, that the Artifice of some Propositions, calculated to delude the Well-meaning, is not by *Them* discovered, resented, and disappointed.

IF I could presume to offer Bills for the Amendment of the Constitution, I would propose, that no Man should be elected a Member of Parliament, till he attained the Age of 27

\* Years; or should be allowed to speak till he could write and read; or call a great Minister Knave or Fool to his Face, without a Testimonial of his own Understanding and Probity: *And to the end that all Proceedings in Parliament may be free and impartial*, I would move, That every Member who quits his Employment out of Pique, for not being advanced to a better, should lose his Seat in the House, and be incapable of Re-election, during the Ministry which refused his Request.

BUT I am not fond of Innovations, contenting myself with the full Enjoyment of Liberty, under the Protection of a mild and just Government. And as I gave my Vote against a late Project, to make the Officers independent upon their General; I must dissent to this Bill, which restrains the Power of the Crown in preferring Men of the greatest Integrity and Ability, if they happen, by the free Choice of their Electors, to be Members of Parliament. And since, as the Law now stands, no Member can continue a Moment under the Influence of his Office, without the Consent of his Electors; I am still for trusting the Constituents with the Choice of their own Representatives. And if a Client or Tenant has a Mind to vote for his Patron or Landlord, and perhaps likes him the better for having an Office, I shall not think the Constitution in Danger. Nor is it decent in

\* The Senatorial Age in *Rome*.

those,



those, with whom I differ, to be more jealous of the Prerogative, than the Party against the Court in 1693. who struggled to obtain, what King *William* refused, a Security then deemed sufficient, and now established by Law.

HERE Sir *A. O.* paused, expecting some Remark on what he had said. But Sir *T. G.* who now was convinced of his Mistake, and glad to be disabused; <sup>^</sup> thanked Sir *A. O.* for his Entertainment; and, after many Expressions of Civility, departed; resolving never again to be misled by those political Guides, whose Aim, as he perceived, is to impose upon the People, that the pretended Sense of the People may impose upon the Legislature.

*F I N I S.*





